

Green, Jamie

From: Jamie Green <Green.Jamie@epamail.epa.gov> on behalf of Randall_Whipple/R7/USEPA/US <Randall_Whipple/R7/USEPA/US@epamail.epa.gov>
Sent: Wednesday, June 14, 2017 11:57 AM
To: Green, Jamie
Subject: Fw: Fru-Con Riverview Asbestos Site

Randall M. Whipple
Senior Asbestos Inspector & Regional Coordinator
U.S. Environmental Protection Agency, Region 7
Water, Wetlands, and Pesticides Division
Toxics and Pesticides Branch
11201 Renner Boulevard
Lenexa, Kansas 66219
Office: 913-551-7093
Fax: 913-551-9093
E-mail: Whipple.Randall@epa.gov

PLEASE NOTE THAT REGION 7 HAS RELOCATED

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U.S. Environmental Protection Agency
Region 7, Water, Wetlands, and Pesticides Division
TOXICS and Pesticides Branch
11201 Renner Boulevard
Lenexa, KS 66219

----- Forwarded by Jamie Green/R7/USEPA/US on 06/14/2017 11:56 AM -----

From: Randall Whipple/R7/USEPA/US
To: "Hall, Richard" <richard.hall@dnr.mo.gov>,
Cc: darcy.bybee@dnr.mo.gov <darcy.bybee@dnr.mo.gov>, Jamie Green/R7/USEPA/US@EPA
Date: 06/29/2012 05:19 PM
Subject: RE: FW: Fru-Con Riverview Asbestos Site

Richard,

This response is in regard to your request for a clarification on landfills pre-1973.

1. A landfill would be subject to NESHAP based upon the identified entities that deposited ACWM in the landfill, but only after 1973. Asbestos-containing materials were not regulated under NESHAP prior to 1973.
2. If a landfill became inactive prior to 1973 it would not be subject to § 61.151 today, as the landfill and asbestos were never regulated under NESHAP before 1973.

Randall M. Whipple
Senior Asbestos Inspector & Regional Coordinator
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Toxics and Pesticides Branch

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Office: 913-551-7093
Fax: 913-551-9093
E-mail: whipple.randall@epa.gov

"Hall, Richard" ---06/22/2012 10:35:36 AM---I can't conclusively answer your question. The ADI letter A980002 states that: "Section 61.151 Base

From: "Hall, Richard" <richard.hall@dnr.mo.gov>
To: "Cady, Chris" <chris.cady@dnr.mo.gov>
Cc: Randall Whipple/R7/USEPA/US@EPA
Date: 06/22/2012 10:35 AM
Subject: RE: FW: Fru-Con Riverview Asbestos Site

I can't conclusively answer your question. The ADI letter A980002 states that:

"Section 61.151 Based on the information you have provided, 40 CFR 61.151 would apply to the subject properties to which Johns-Manville transported asbestos- contaminated fill materials. Since the last waste disposal occurred more than a year ago for all of the sites and the source of the waste was Manville and its manufacturing operations, the sites fall within the definition of "inactive waste disposal site" at 40 CFR 61.141. With the application of Section 61.151 to the sites, any activities undertaken by owners and operators must be accomplished in compliance with those regulations, as each requirement applies, under the specific circumstances of the particular site. Those provisions include all or a portion of the following requirements: discharging no visible emissions, covering the waste materials, installing signs and fencing, implementing an EPA-approved alternative control method, providing written notification prior to disturbing wastes, and recording information in title documents."

While the letter states that the last waste must have been deposited over a year ago, but it does not say that Section 61.151 *does not* apply to waste deposited prior to the asbestos NESHAP. However, item #1 of Mr. Whipple's response below does seem to say that the manufacturing operation must have been operating during the effective period of the NESHAP.

Mr. Whipple, would you kindly clarify EPA's position on the question of waste deposited prior to the asbestos NESHAP effective date?

From: Cady, Chris
Sent: Thursday, June 21, 2012 6:13 PM
To: Hall, Richard
Subject: RE: FW: Fru-Con Riverview Asbestos Site

I need to digest this, but one question I have right now is: Regarding #1 below, does a facility operating "under the asbestos NESHAP" include a facility that ceased operation prior to NESHAP (1973)? If there is evidence the landfilling ceased prior to 1973 is it not subject to 61.151?

Chris Cady, Ph.D.
Environmental Specialist
Brownfields/Voluntary Cleanup Section
Hazardous Waste Program
(573) 526-8916

From: Hall, Richard
Sent: Thursday, June 21, 2012 3:01 PM
To: Cady, Chris
Subject: FW: FW: Fru-Con Riverview Asbestos Site

Chris, here is EPA's response and determination regarding the Fru-Con site. I have also attached a copy of the ADI letter #A980002. Let me know if you have any further questions.

From: Randall Whipple [<mailto:Whipple.Randall@epamail.epa.gov>]
Sent: Thursday, June 21, 2012 2:44 PM
To: Hall, Richard
Cc: Bybee, Darcy; Jamie Green
Subject: RE: FW: Fru-Con Riverview Asbestos Site

Richard, In response to your inquiry, the landfill would be subject to the applicable requirements of the asbestos NESHAP under § 61.151 Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations. Please consult EPA's Applicability Determination Index for Inactive Landfill Requirements, Control #A980002, specifically the discussion of 40 CFR 61.151. Under the current regulations, there are two ways that an inactive landfill could be subject to § 61.151:

1. If the landfill was operated by an asbestos mill, asbestos manufacturer, or asbestos fabricator under the asbestos NESHAP and also received deposits of ACWM from one of those sources, it would be subject to NESHAP.
2. If the landfill was once regulated as an active waste disposal site under the asbestos NESHAP and has since become inactive (see § 61.154(g)).

If MO-MDNR can show that either: the landfill was once operated by a mill, manufacturer, or fabricator subject to the asbestos NESHAP and it received deposits of ACWM from that regulated source; or at some point it should have been considered an active waste disposal site under the asbestos NESHAP then the state has an argument that the landfill must comply with § 61.151.

In regards to the question concerning broken material as regulated ACM, the material would be considered asbestos-containing waste material (ACWM) and subject to all the requirements of § 61.151. Though the issues related to asbestos are subject to the applicable requirements of NESHAP, additional solid waste or waste management requirements may occur. Therefore, you should contact your local state or federal RCRA program representatives.

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E-mail: whipple.randall@epa.gov

"Hall, Richard" ---06/13/2012 07:38:35 AM---Thank you Randall. I'll wait until I get your further response before I respond to Mr. Cady. From:

From: "Hall, Richard" <richard.hall@dnr.mo.gov>
To: Randall Whipple/R7/USEPA/US@EPA
Date: 06/13/2012 07:38 AM
Subject: RE: FW: Fru-Con Riverview Asbestos Site

Thank you Randall. I'll wait until I get your further response before I respond to Mr. Cady.

From: Randall Whipple [<mailto:Whipple.Randall@epamail.epa.gov>]
Sent: Tuesday, June 12, 2012 6:20 PM
To: Hall, Richard
Subject: Re: FW: Fru-Con Riverview Asbestos Site

Richard,

My initial opinion is in agreement with yours that the activities regarding this landfill would be subject to since the site had received ACM regulated waste from manufacturing operations. That being said, regarding waste deposits pre-1973 NESHAP once a landfill becomes subject to § 61.151, disturbance of any asbestos-containing waste material (including non-RACM) would be subject to the applicable requirements. Therefore, this would require the facility (Owner/Operator) to comply with the 45 days notification.

I'm currently researching some ADI's and related correspondence. If you could please wait and not inform the facility or contractor at this time, I want to verify my response. I may have a final response to you by tomorrow.

Thanks for your patience, Richard.

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▼ "Hall, Richard" ---06/11/2012 03:50:34 PM---Mr. Whipple, I would like to have your opinion on the scenario described below. Based on our recent

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Cc: "Cady, Chris" <chris.cady@dnr.mo.gov>
Date: 06/11/2012 03:50 PM
Subject: FW: Fru-Con Riverview Asbestos Site

Mr. Whipple, I would like to have your opinion on the scenario described below. Based on our recent discussions about landfill disturbance, I would have to agree that the activity would not constitute a regulated abatement project since landfill disturbance is not considered to be demolition or renovation. However, would the requirements of 61.151 apply since this site was used as a disposal site for manufacturing operations? Does the fact that much or all of the ACWM disposal occurred prior to the effective date of the asbestos NESHAP have any bearing?

Thank you, in advance, for your consideration.

From: Cady, Chris
Sent: Monday, June 11, 2012 12:36 PM
To: Hall, Richard
Subject: Fru-Con Riverview Asbestos Site

Richard,

Following up on my call earlier today.

This project to cap an old asbestos cement scrap landfill in north St. Louis (near Riverview) died on the vine in the early 2000s. It has been resurrected, and I'm checking in on some outstanding questions that were not resolved back then.

The site was enrolled in the Brownfields/Voluntary Cleanup Program in 1998. The site is located at 9250 Riverview Dr. on the banks

of the Mississippi River at the mouth of Maline Creek, bordered on the West by Riverview Drive, East by Mississippi River, and South by Maline Creek. It is located in the City although the border is close by to the west. The site was historically used as a landfill for scrap ACM from manufacturing plants in the area, including apparently asbestos cement pipe and sheets (i.e. Transite siding). I believe the material was laid down in the 50s and 60s and possibly extending into the 70s. It is now used as a storage area for construction equipment and salvage. The site has layer of scrap and cement kiln dust up to 15 feet thick, overlain by a covering CKD. The material is exposed at the river bank and is eroding into the Mississippi River. Small pieces of Transite can be seen at the ground surface on top of the landfill.

In 1998, a coalition of asbestos manufacturers and the owner at that time (Fru-Con Construction) set out to stabilize the bank and cap the top surface. The project got as far as approval of a conceptual remedial action plan involving lots of big rocks on the river bank and a soil cap on top. The coalition fell apart before the plan was implemented (one party, GAF if I recall, went into bankruptcy, and at least one other suspected manufacturer did not participate). The surface cap was several acres in size and the riverbank is several hundred feet long, so it is not an inexpensive project.

New owners, Env. Liability Transfer (ELT) have submitted a new plan to cap the site. The plan involves covering the flat top of the landfill area with a soil cap, cutting the top of the river bank down and depositing that material at the bottom to create a sloped bank followed by capping the slope. Env. covenants would be used to prohibit future excavation without proper precautions and to restrict the use of the site to non-residential.

The plan as submitted states that the project is not a regulated abatement project and that no notifications are planned. It also states that perimeter air monitoring and personal air monitoring will be used along with water for dust control.

I have two basic questions:

- 1) Is the broken material a regulated ACM and how does that affect how the project should be conducted (both capping and riverbank cut/fill/cap)? In other words, are the above measures considered sufficient?
- 2) If this is not a NESHAPS regulated project, are there any other regulations that would apply to the site that we need to look out for?

As I said, I am fairly confident we can get this project done safely using dust control and air monitoring, but just wanted to make sure that the remediating party is following all applicable regulations.

I am making comments on the draft plan and will leave a placeholder for your and EPA's response if I don't hear back before this letter goes out. I do think they would like to begin fairly soon this year.

Thanks,

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Cc: darcy.bybee@dnr.mo.gov <darcy.bybee@dnr.mo.gov>, Jamie Green/R7/USEPA/US@EPA
Date: 06/21/2012 02:43 PM
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Thanks,

Chris Cady, Ph.D.
Environmental Specialist
Brownfields/Voluntary Cleanup Section
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Green, Jamie

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From: Randall Whipple/R7/USEPA/US
To: Everett Bishop/DC/USEPA/US@EPA,
Date: 06/19/2012 03:31 PM
Subject: Re: MO-MDNR ----Fw: Fru-Con Riverview Asbestos Site

Everett,

Thanks to you and Steve for reviewing the landfill issue. I'm in agreement with your scenarios and the requirements of §§ 61.151 and 61.154. I will respond to MDNR appropriately.

Thanks again.

Randall M. Whipple
Senior Asbestos Inspector & Regional Coordinator
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▼ Everett Bishop---06/15/2012 02:17:09 PM---Randall - Steve Anderson took a look at your email. His thoughts are:

From: Everett Bishop/DC/USEPA/US
To: Randall Whipple/R7/USEPA/US@EPA
Date: 06/15/2012 02:17 PM
Subject: Re: MO-MDNR ---Fw: Fru-Con Riverview Asbestos Site

Randall -

Steve Anderson took a look at your email. His thoughts are:

Under the current regs, there two ways that an inactive landfill could be subject to 61.151:

-- first, if the landfill was operated by an asbestos mill, asbestos manufacturer, or asbestos fabricator under the asbestos NESHAP and also received deposits of ACWM from one of those sources (see the opening paragraph of 61.151); or
-- second, if the landfill was once regulated as an active waste disposal site under the asbestos NESHAP and has since become inactive (see 61.154(g)).

If MO DNR can show that either: 1) the landfill was once operated by a mill, manufacturer, or fabricator subject to the asbestos NESHAP and it received deposits of ACWM from that regulated source; or 2) at some point it should have been considered an active waste disposal site under the asbestos NESHAP then MO DNR has an argument that the landfill must comply with 61.151.

Let me know if I can provide additional assistance.

Everett Bishop
Office of Compliance
US EPA
phone: 202.564.7032
fax: 202.564.0050
email: bishop.everett@epa.gov

▼ Randall Whipple---06/12/2012 05:13:06 PM---Everett, Good afternoon! I'm forwarding this email I got from Missouri which I thought I might ask

From: Randall Whipple/R7/USEPA/US
To: Everett Bishop/DC/USEPA/US@EPA
Date: 06/12/2012 05:13 PM
Subject: MO-MDNR ---Fw: Fru-Con Riverview Asbestos Site

Everett,

Good afternoon! I'm forwarding this email I got from Missouri which I thought I might ask your opinion, especially since it's another landfill and very close to the Mississippi River. We all know we cannot be too careful in our interpretation of the NESHAP. I have no expertise or practical experience in closing landfills, I'll leave that to the state, RCRA and the project engineers. I'm beginning to see more and more about the applicability of NESHAP, but it seems to me that the requirements of 61.151 would certainly apply. My thought is that removal or moving around any ACM soil would not qualify as a regulated abatement project, but the requirements for the 45 notification under the requirements of 61.151 would apply due to the fact that it is a NESHAP regulated facility having previously received RACM. However, Question #1 in Richard's email becomes more complicated when sorting out whether to "broken material (ACM)" is regulated as opposed to whether ACM soil is not regulated. Perhaps, I've misinterpreted NESHAP.

Any particular proposed plan regarding an acceptable engineering design would need to be agreed to by the state, RCRA, and the Owner/Operator as long as it met the NESHAP's requirements and was not in conflict with those

requirements. As to ACM materials deposited before pre-NESHAP, that point is moot once it started receiving RACM. Once regulated under NESHAP always regulated regardless of pre-1973 deposits. Am I mistaken?

I probably get more requests for NESHAP responses from MO than all our other states combined and I'm certainly not being left out this week. Makes life interesting, but it always seems their scenarios always have just a little different twist. For example, I am being asked if a public tennis court is a regulated structure for a demolition project? Are roadways, runways or bridges only regulated when asbestos is an added commercial value to the asphalt and/or the asbestos source is from milling tailings? Some responses I have found from Larry Hacker and R5 regarding taxiways and runways were not in agreement. Larry thought if 160 square feet (or greater) of ACM in taxiways or runway concrete slabs was cut or disturbed and caused to become friable it was subject to NESHAP's work practices of § 61.145 and § 61.150 and disposal would be in accord of § 61.154. In a March 16, 1990 response R5 responded to a letter that asbestos NESHAP renovation/demolition standards did not apply to roadways because they were not structures. Also, in 1997 a letter from R5 describes informing a construction company that removal of a layer of asphalt with asbestos from an airplane taxiway was not subject to the asbestos NESHAP. Everett, am I missing something here? Any thoughts, other than cursing ones now that I've sent you a book rather than a question? :)

Randall M. Whipple
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Environmental Specialist
Brownfields/Voluntary Cleanup Section
Hazardous Waste Program
(573) 526-8916

Green, Jamie

From: Jamie Green <Green.Jamie@epamail.epa.gov> on behalf of Randall_Whipple/R7/USEPA/US <Randall_Whipple/R7/USEPA/US@epamail.epa.gov>
Sent: Wednesday, June 14, 2017 11:56 AM
To: Green, Jamie
Subject: Fw: MO-MDNR ----Fw: Fru-Con Riverview Asbestos Site

Randall M. Whipple
Senior Asbestos Inspector & Regional Coordinator
U.S. Environmental Protection Agency, Region 7
Water, Wetlands, and Pesticides Division
Toxics and Pesticides Branch
11201 Renner Boulevard
Lenexa, Kansas 66219
Office: 913-551-7093
Fax: 913-551-9093
E-mail: Whipple.Randall@epa.gov

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----- Forwarded by Jamie Green/R7/USEPA/US on 06/14/2017 11:55 AM -----

From: Everett Bishop/DC/USEPA/US
To: Randall Whipple/R7/USEPA/US@EPA,
Date: 06/15/2012 02:17 PM
Subject: Re: MO-MDNR ---Fw: Fru-Con Riverview Asbestos Site

Randall -

Steve Anderson took a look at your email. His thoughts are:

Under the current regs, there two ways that an inactive landfill could be subject to 61.151:

-- first, if the landfill was operated by an asbestos mill, asbestos manufacturer, or asbestos fabricator under the asbestos NESHAP and also received deposits of ACWM from one of those sources (see the opening paragraph of 61.151); or
-- second, if the landfill was once regulated as an active waste disposal site under the asbestos NESHAP and has since become inactive (see 61.154(g)).

If MO DNR can show that either: 1) the landfill was once operated by a mill, manufacturer, or fabricator subject to the asbestos NESHAP and it received deposits of ACWM from that regulated source; or 2) at some point it should have been considered an active waste disposal site under the asbestos NESHAP then MO DNR has an argument that the landfill must comply with 61.151.

Let me know if I can provide additional assistance.

Everett Bishop
Office of Compliance
US EPA
phone: 202.564.7032
fax: 202.564.0050
email: bishop.everett@epa.gov

▼ Randall Whipple---06/12/2012 05:13:06 PM---Everett, Good afternoon! I'm forwarding this email I got from Missouri which I thought I might ask

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E-mail: whipple.randall@epa.gov
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To: Randall Whipple/R7/USEPA/US@EPA

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Subject: Re: MO-MDNR ---Fw: Fru-Con Riverview Asbestos Site

Randall -

This website is Region 10's page on the North Ridge Estates. It is publicly available so it should be shared with MO and the contractor.

<http://yosemite.epa.gov/r10/cleanup.nsf/d67b5aa82151d9ae88256da6005fb54e/6d3ab7def32c248a88256d3a007e7f53!opendocument>

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Richard,

My initial opinion is in agreement with yours that the activities regarding this landfill would be subject to since the site had received ACM regulated waste from manufacturing operations. That being said, regarding waste deposits pre-1973 NESHAP once a landfill becomes subject to § 61.151, disturbance of any asbestos-containing waste material (including non-RACM) would be subject to the applicable requirements. Therefore, this would require the facility (Owner/Operator) to comply with the 45 days notification.

I'm currently researching some ADI's and related correspondence. If you could please wait and not inform the facility or contractor at this time, I want to verify my response. I may have a final response to you by tomorrow.

Thanks for your patience, Richard.

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Subject: MO-MDNR ----Fw: Fru-Con Riverview Asbestos Site

Everett,

Good afternoon! I'm forwarding this email I got from Missouri which I thought I might ask your opinion, especially since it's another landfill and very close to the Mississippi River. We all know we cannot be too careful in our interpretation of the NESHAP. I have no expertise or practical experience in closing landfills, I'll leave that to the state, RCRA and the project engineers. I'm beginning to see more and more about the applicability of NESHAP, but it seems to me that the requirements of 61.151 would certainly apply. My thought is that removal or moving around any ACM soil would not qualify as a regulated abatement project, but the requirements for the 45 notification under the requirements of 61.151 would apply due to the fact that it is a NESHAP regulated facility having previously received RACM. However, Question #1 in Richard's email becomes more complicated when sorting out whether to "broken material (ACM)" is regulated as opposed to whether ACM soil is not regulated. Perhaps, I've misinterpreted NESHAP.

Any particular proposed plan regarding an acceptable engineering design would need to be agreed to by the state, RCRA, and the Owner/Operator as long as it met the NESHAP's requirements and was not in conflict with those requirements. As to ACM materials deposited before pre-NESHAP, that point is moot once it started receiving RACM. Once regulated under NESHAP always regulated regardless of pre-1973 deposits. Am I mistaken?

I probably get more requests for NESHAP responses from MO than all our other states combined and I'm certainly not

being left out this week. Makes life interesting, but it always seems their scenarios always have just a little different twist. For example, I am being asked if a public tennis court is a regulated structure for a demolition project? Are roadways, runways or bridges only regulated when asbestos is an added commercial value to the asphalt and/or the asbestos source is from milling tailings? Some responses I have found from Larry Hacker and R5 regarding taxiways and runways were not in agreement. Larry thought if 160 square feet (or greater) of ACM in taxiways or runway concrete slabs was cut or disturbed and caused to become friable it was subject to NESHAP's work practices of § 61.145 and § 61.150 and disposal would be in accord of § 61.154. In a March 16, 1990 response R5 responded to a letter that asbestos NESHAP renovation/demolition standards did not apply to roadways because they were not structures. Also, in 1997 a letter from R5 describes informing a construction company that removal of a layer of asphalt with asbestos from an airplane taxiway was not subject to the asbestos NESHAP. Everett, am I missing something here? Any thoughts, other than cursing ones now that I've sent you a book rather than a question? :)

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----- Forwarded by Randall Whipple/R7/USEPA/US on 06/12/2012 02:39 PM -----

From: "Hall, Richard" <richard.hall@dnr.mo.gov>
To: Randall Whipple/R7/USEPA/US@EPA
Cc: "Cady, Chris" <chris.cady@dnr.mo.gov>
Date: 06/11/2012 03:50 PM
Subject: FW: Fru-Con Riverview Asbestos Site

Mr. Whipple, I would like to have your opinion on the scenario described below. Based on our recent discussions about landfill disturbance, I would have to agree that the activity would not constitute a regulated abatement project since landfill disturbance is not considered to be demolition or renovation. However, would the requirements of 61.151 apply since this site was used as a disposal site for manufacturing operations? Does the fact that much or all of the ACWM disposal occurred prior to the effective date of the asbestos NESHAP have any bearing?

Thank you, in advance, for your consideration.

From: Cady, Chris
Sent: Monday, June 11, 2012 12:36 PM
To: Hall, Richard
Subject: Fru-Con Riverview Asbestos Site

Richard,

Following up on my call earlier today.

This project to cap an old asbestos cement scrap landfill in north St. Louis (near Riverview) died on the vine in the early 2000s. It has been resurrected, and I'm checking in on some outstanding questions that were not resolved back then.

The site was enrolled in the Brownfields/Voluntary Cleanup Program in 1998. The site is located at 9250 Riverview Dr. on the banks of the Mississippi River at the mouth of Maline Creek, bordered on the West by Riverview Drive, East by Mississippi River, and South by Maline Creek. It is located in the City although the border is close by to the west. The site was historically used as a landfill for scrap ACM from manufacturing plants in the area, including apparently asbestos cement pipe and sheets (i.e. Transite siding). I believe the material was laid down in the 50s and 60s and possibly extending into the 70s. It is now used as a storage area for construction equipment and salvage. The site has layer of scrap and cement kiln dust up to 15 feet thick, overlain by a covering CKD. The material is exposed at the river bank and is eroding into the Mississippi River. Small pieces of Transite can be seen at the

ground surface on top of the landfill.

In 1998, a coalition of asbestos manufacturers and the owner at that time (Fru-Con Construction) set out to stabilize the bank and cap the top surface. The project got as far as approval of a conceptual remedial action plan involving lots of big rocks on the river bank and a soil cap on top. The coalition fell apart before the plan was implemented (one party, GAF if I recall, went into bankruptcy, and at least one other suspected manufacturer did not participate). The surface cap was several acres in size and the riverbank is several hundred feet long, so it is not an inexpensive project.

New owners, Env. Liability Transfer (ELT) have submitted a new plan to cap the site. The plan involves covering the flat top of the landfill area with a soil cap, cutting the top of the river bank down and depositing that material at the bottom to create a sloped bank followed by capping the slope. Env. covenants would be used to prohibit future excavation without proper precautions and to restrict the use of the site to non-residential.

The plan as submitted states that the project is not a regulated abatement project and that no notifications are planned. It also states that perimeter air monitoring and personal air monitoring will be used along with water for dust control.

I have two basic questions:

- 1) Is the broken material a regulated ACM and how does that affect how the project should be conducted (both capping and riverbank cut/fill/cap)? In other words, are the above measures considered sufficient?
- 2) If this is not a NESHAPS regulated project, are there any other regulations that would apply to the site that we need to look out for?

As I said, I am fairly confident we can get this project done safely using dust control and air monitoring, but just wanted to make sure that the remediating party is following all applicable regulations.

I am making comments on the draft plan and will leave a placeholder for your and EPA's response if I don't hear back before this letter goes out. I do think they would like to begin fairly soon this year.

Thanks,

Chris Cady, Ph.D.
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